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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,506

10/30/2006

Kazunori Maeda

41255

6594

52054

7590

07/20/2010

PEARNE & GORDON LLP  
1801 EAST 9TH STREET  
SUITE 1200  
CLEVELAND, OH 44114-3108

EXAMINER

VAN, QUANG T

ART UNIT

PAPER NUMBER

3742

NOTIFICATION DATE

DELIVERY MODE

07/20/2010

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patdocket@pearne.com  
dchervenak@pearne.com

<b>Office Action Summary</b>	<b>Application No.</b> 10/598,506	<b>Applicant(s)</b> MAEDA, KAZUNORI	
	<b>Examiner</b> Quang T. Van	<b>Art Unit</b> 3742	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 October 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>9/1/06&amp;1/24/08</u> . | 6) <input type="checkbox"/> Other: ____.  |

***Specification***

1. The abstract of the disclosure is objected to because the abstract contains more than 150 words. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2 and 5-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Sakoda (US 4,542,269) cited by applicant. Sakoda discloses a cooking appliance with switching assembly comprising a cooking apparatus main body (1) that includes a heating chamber (9); and a door opening and shutting part (2) that openably and closably locks the object-to-be-heated take-out opening of the heating chamber (9) to shut the take-out opening, and removes the locked state of the take-out opening to open the take-out opening, wherein the door opening and shutting part (2) includes: a handle (5) which opens and shuts-the an opening and shutting door (2); and a door key (12) which is provided on the opening and shutting door (2) so as to be movable in the longitudinal direction thereof in conjunction with an opening and shutting operation of the handle (5), and is integrally formed with first (3) and second (4) engaging portions, the first (3) and second (4) engaging portions respectively being provided on the two portions of the door key (12) spaced a predetermined distance from each other in the longitudinal direction of the door key (12) so as to project toward the heating chamber

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(9); wherein the cooking apparatus main body (1) includes a door hook (23) which holds the door key (12) by engaging with the first (3) and second (4) engaging portions, which are inserted into the cooking apparatus main body (1) when the opening and shutting door (2) is shut; wherein the door hook (23) includes first (28) and second (30) switches which respectively switch so as to electrically conduct a power supply circuit for heating the heating chamber by carrying out depressing operations of the first (3) and second (4) engaging portions when the door hook (23) is engaged with the first (3) and second (4) engaging portions; and wherein a play in a connecting portion between the handle (5) and the door key (12) is set as a distance which corresponds to a distance that the door key (12) moves in the longitudinal direction thereof when the opening and shutting door (2) is switched from an opened state to a shut state.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakoda (US 4,542,269), in view of JP2001-50543A both cited by applicant. Sakoda discloses substantially all features of the claimed invention except the leading end portions of the first and second engaging portions project upwardly. JP2001-50543A discloses leading end portions (4a) of the first (4) and second (4) engaging portions project upwardly (Figure 2). It would have been obvious to one ordinary skill in the art

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at the time the invention was made to utilize in Sakoda leading end portions of the first and second engaging portions project upwardly as taught by JP2001-50543A in order to engage with door switches to electrically conduct the power supply circuit.

6. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakoda (US 4,542,269) cited by applicant, in view of Katoh (US 4,672,160). Sakoda discloses substantially all features of the claimed invention except the first engaging portion depresses the first door switch after the first engaging portion presses down the short switch. Katoh discloses, figures 9-10, a first engaging portion (31) depresses the first door switch (41) after the first engaging portion (31) presses down the short switch (42). It would have been obvious to one ordinary skill in the art at the time the invention was made to utilize in Skoda a first engaging portion depresses the first door switch after the first engaging portion presses down the short switch as taught by Katoh in order to open the safety circuit.

7. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakoda (US 4,542,269) cited by applicant, in view of Johns (US 1,213,651) and Donner (US 4,101,750). Sakoda discloses substantially all features of the claimed invention except the handle is connected to the door key by a rack and pinion mechanism and the door key is operated in a vertical direction in accordance with a rotation operation of the handle. Johns discloses, figures 2-3, a handle (17) is connected to the door key (22) by a rack (15) and pinion mechanism (21). Donner discloses, figures 3-4, a door key (80) is operated in a vertical direction in accordance with a rotation operation of the handle (15). It would have been obvious to one ordinary skill in the art at the time the invention

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was made to utilize in Skoda a handle is connected to the door key by a rack and pinion mechanism as taught by Johns in order to operate the door, and a door key is operated in a vertical direction in accordance with a rotation operation of the handle as taught by Donner in order to operate to unlatch the disposition.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T. Van whose telephone number is 571-272-4789. The examiner can normally be reached on 8:00Am 5:00Pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tu Hoang can be reached on 571-272-4780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Quang T Van/  
Primary Examiner, Art Unit 3742  
July 14, 2010

Quang T Van  
Primary Examiner  
Art Unit 3742